

OVERVIEW PROGRAMMATIC AGREEMENTS

- **Programmatic Agreements:** A PA describes a set of steps that the Corps will take every time we do something that might harm a cultural resource such as an old Indian village. These steps are general and include many different types of activities, such as tree planting, recreation construction, planned burns etc. The PA is used instead of the normal Section 106 Historic Preservation process. The PA is legally binding.
- Steps for developing a PA
 - We inform groups such as Tribe, Mni Sosi etc. that we want to develop a PA- we want to involve everyone that is interested
 - everyone involved (Corps, the Tribes, State Historic Preservation Officer and others) gets together
 - We talk about what they want the PA to do
 - Figures out concrete steps for the agreement
 - These steps are then spelled out in detail
 - Everyone works together to put all this information together on paper .
 - This agreement will include steps for ironing out disagreements
 - Everyone involved formally agrees by signing the PA.
- An outline for a typical PA includes these sections:
 - Title/description
 - Description of the action or undertaking
 - Description of the location of resources that will be effected by the action; also called Area of Potential Effect (APE)
 - Descriptions of the individual cultural resources (sites, houses, etc.) that will be affected
 - List of all consulting parties (signatories)
 - Brief statement of actions that describes how the Corps will protect, or preserve the endangered resources
 - Stipulations; This is the heart of the PA the section has detailed steps that include specialized sections such as:
 - Training of Corps personnel in dealing with NAGPRA
 - Monitoring proscribed burns
 - Access to "Sacred Sites"
 - Bank stabilization
 - Reporting site vandalism
 - Future tribal coordination
 - Schedule of regular meeting with all consulting parties
 - Steps for solving disputes and changing PA
 - Steps for terminating the PA
- PAs are usually prepared in final form by ACHP, though they are often prepared in draft by an agency official or an SHPO or group of SHPOs, or by others.
- ACHP must be consulted in the development of a PA.
- PAs will be signed by the Corps, State Historic Preservation Officer, Tribal Historic Preservation Officers or authorized Tribal representative and other interested parties